

(Jan. 2, 1951, ch. 1194, §9, as added Pub. L. 87-840, §6, Oct. 18, 1962, 76 Stat. 1077.)

EFFECTIVE DATE

Section effective on sixtieth day after Oct. 18, 1962, see section 7 of Pub. L. 87-840, set out as an Effective Date of 1962 Amendment note under section 1171 of this title.

CHAPTER 25—FLAMMABLE FABRICS

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§ 1191. Definitions

As used in this chapter—

(a) The term “person” means an individual, partnership, corporation, association, or any other form of business enterprise.

(b) The term “commerce” means commerce among the several States or with foreign nations or in any territory of the United States or in the District of Columbia or between any such territory and another, or between any such territory and any State or foreign nation, or between the District of Columbia or the Commonwealth of Puerto Rico and any State or territory or foreign nation, or between the Commonwealth of Puerto Rico and any State or territory or foreign nation or the District of Columbia.

(c) The term “territory” includes the insular possessions of the United States and also any territory of the United States.

(d) The term “article of wearing apparel” means any costume or article of clothing worn or intended to be worn by individuals.

(e) The term “interior furnishing” means any type of furnishing made in whole or in part of fabric or related material and intended for use or which may reasonably be expected to be used, in homes, offices, or other places of assembly or accommodation.

(f) The term “fabric” means any material (except fiber, filament, or yarn for other than retail sale) woven, knitted, felted, or otherwise produced from or in combination with any natural or synthetic fiber, film, or substitute therefor which is intended for use or which may reasonably be expected to be used, in any product as defined in paragraph (h) of this section.

(g) The term “related material” means paper, plastic, rubber, synthetic film, or synthetic foam which is intended for use or which may reasonably be expected to be used in any product as defined in paragraph (h) of this section.

(h) The term “product” means any article of wearing apparel or interior furnishing.

(i) The term “Commission” means the Consumer Product Safety Commission.

(j) The term “Federal Trade Commission Act” means the Act of Congress entitled “An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes”, approved September 26, 1914, as amended [15 U.S.C. 41 et seq.].

(June 30, 1953, ch. 164, §2, 67 Stat. 111; Pub. L. 90-189, §1, Dec. 14, 1967, 81 Stat. 568; Pub. L. 110-314, title II, §204(c)(2)(A), Aug. 14, 2008, 122 Stat. 3042.)

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in par. (j), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, as amended, which is classified generally to subchapter I (§41 et seq.) of chapter 2 of this title. For complete classification of this Act to the Code, see section 58 of this title and Tables.

AMENDMENTS

2008—Par. (i). Pub. L. 110-314 added par. (i) and struck out former par. (i) which read as follows: “The term ‘Commission’ means the Federal Trade Commission.”

1967—Par. (b). Pub. L. 90-189, §1(1), reduced from capital to lower-case the first letter of “territory” wherever appearing and redefined “commerce” to include commerce between the Commonwealth of Puerto Rico and any State or territory or foreign nation or the District of Columbia.

Par. (c). Pub. L. 90-189, §1(2), reduced from capital to lower-case the first letter of “territory” wherever appearing.

Par. (d). Pub. L. 90-189, §1(3), struck out provisions which excepted hats, gloves, and footwear from definition of “article of wearing apparel” provided that: such hats did not constitute or form part of a covering for the neck, face, or shoulders when worn by individuals; such gloves were not more than fourteen inches in length and were not affixed to or did not form an integral part of another garment; and such footwear did not consist of hosiery in whole or in part and was not affixed to or did not form an integral part of another garment.

Par. (e). Pub. L. 90-189, §1(5), (6), added par. (e) and redesignated former par. (e) as (f).

Par. (f). Pub. L. 90-189, §1(4), (5), (7), redesignated par. (e) as (f), substituted “(except fiber, filament, or yarn for other than retail sale)” for “(other than fiber, filament, or yarn)” and “for use or which may reasonably be expected to be used, in any product as defined in paragraph (h) of this section” for “or sold for use in wearing apparel except that interlining fabrics when intended or sold for use in wearing apparel shall not be subject to this chapter”, and struck out former par. (f) which defined “interlining”.

Pars. (g) to (j). Pub. L. 90-189, §1(5), (8), added pars. (g) and (h) and redesignated former pars. (g) and (h) as (i) and (j), respectively.

EFFECTIVE DATE

Act June 30, 1953, ch. 164, §12, 67 Stat. 115, provided: “This Act [enacting this chapter] shall take effect one year after the date of its passage [June 30, 1953].”

SHORT TITLE

Act June 30, 1953, ch. 164, §1, 67 Stat. 111, provided: “This Act [enacting this chapter] may be cited as the ‘Flammable Fabrics Act’.”

SAVINGS PROVISION

Pub. L. 90-189, §11, Dec. 14, 1967, 81 Stat. 574, provided that: “Notwithstanding the provisions of this Act [amending this section and sections 1192 to 1195, 1197, 1198, and 1200 of this title and enacting sections 1201 to 1204 of this title], the standards of flammability in ef-